

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:14-CR-251-1BO

UNITED STATES OF AMERICA :
 :
 v. :
 :
 ENMANUEL LUGO :

PRELIMINARY ORDER OF FORFEITURE AS TO SUBSTITUTE ASSET

WHEREAS, on unopposed motion by the Government, the following substitute asset is hereby forfeitable pursuant to 18 U.S.C. Section 981(a)(1)(c): \$28,700.00 U. S. currency voluntarily paid by Defendant Lugo and is currently held by the U. S. Marshal Service in the forfeiture holding account.

The above substitute asset is forfeited in partial substitution for the forfeited but unavailable sum of \$1,296,000.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED that:

1. That based upon the Order and Judgment of Forfeiture as to the defendant, Enmanuel Lugo, the interest of the defendant in the identified substitute asset is herewith forfeited to the United States for disposition in accordance with the law.


2. That any and all forfeited funds shall be deposited by the United States Marshal Service as soon as located or recovered into the Department of Justice Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

3. Pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General or the Secretary of Treasury directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c).

SO ORDERED. This 11 day of December, 2015.


TERRENCE W. BOYLE
United States District Judge